COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

OF THE

JUDICIAL CONFERENCE OF THE UNITED STATES WASHINGTON, D.C. 20544

DAVID F. LEVI CHAIR CHAIRS OF ADVISORY COMMITTEES

PETER G. McCABE SECRETARY CARL E. STEWART APPELLATE RULES

THOMAS S. ZILLY BANKRUPTCY RULES

LEE H. ROSENTHAL CIVIL RULES

SUSAN C. BUCKLEW CRIMINAL RULES

To:

Honorable David F. Levi, Chair

Standing Committee on Rules of Practice and Procedure

JERRY E. SMITH EVIDENCE RULES

From:

Honorable Lee H. Rosenthal, Chair

Advisory Committee on Federal Rules of Civil Procedure

Date:

December 12, 2006

Re:

Report of the Civil Rules Advisory Committee

Introduction

The Civil Rules Advisory Committee met at the Vanderbilt Law School in Nashville, Tennessee, on September 7 and 8, 2006.

* * * * *

Part I presents a technical amendment to Supplemental Rule C(6)(a) with a recommendation that it be approved without publication for comment, because it is a technical amendment.

* * * * *

I. Action Item: Recommendation For Adoption Without Publication

The Advisory Committee recommends approval for adoption without publication of a technical amendment to Supplemental Rule C(6)(a)(i).

Adoption of Supplemental Rule G, which took effect on December 1, 2006, required conforming amendments that withdrew portions of other Supplemental Rules that dealt with civil forfeiture proceedings. An unintended omission failed to capitalize "A" as the first word of subparagraph C(6)(a)(i). The omission might be cured by simply capitalizing "A," but a better parallel with subdivisions C(1), (2), and (5) can be achieved by these changes:

OR MARITIME CLAIMS AND ASSET FORFEITURE ACTIONS*

Rule C. In Rem Actions: Special Provisions

1	* * * *		
2	(6) Responsive Pleading; Interrogatories.		
3	(a)	Ma	ritime Arrests and Other Proceedings
4		Sta	tement of Interest; Answer. In an action in
5		rem	Ŀ
6		(i)	a person who asserts a right of possession or
7			any ownership interest in the property that is
8			the subject of the action must file a verified
9			statement of right or interest:
10			* * * *

Committee Note

Supplemental Rule C(6)(a)(i) is amended to correct an inadvertent omission in the 2006 amendment to Rule C. The amendment is technical and stylistic in nature. No substantive change is intended.

^{*}New material is underlined; matter to be omitted is lined through.